

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Luis Alberto Lopez, Jr.,

Civil No. 10-CV-2407 (PJS/TNL)

Plaintiff,

v.

ORDER

Scott Fisher,

Defendant.

Luis Alberto Lopez, Jr., #11911-085, Kingbusry, FPC – Yankton, PO Box 700, Yankton, SD 57078

Mary J. Madigan and Gregory G. Brooker, Assistant United States Attorneys, 600 United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 (for Defendant).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated November 29, 2012 (Docket No.17), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that the habeas petition is DISMISSED WITH PREJUDICE [Doc. No. 1].

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: 01/07/13

s/Patrick J. Schiltz
The Honorable Patrick J. Schiltz
United States District Court Judge
for the District of Minnesota